



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, NOVEMBER 15, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **November 15, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **PD06-029. Planned Development Permit** request to allow 110 single-family attached residential units in a podium building on a 10.66 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of Baton Rouge Drive and Cedarville Lane (781 N CAPITOL AV) (Blossom Valley Investors, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration. **Deferred from 10/25/06.**
- b. **PDA99-055-01. Planned Development Permit Amendment** to remove one Eucalyptus tree 79 inches in circumference from the South Valley YMCA complex on a 3.6 gross acre site in the A(PD) Planned Development Zoning District, located at/on the east side of Santa Teresa Boulevard, approximately 750' southerly of Steinbeck Drive (5632 SANTA TERESA BL) (Young Men'S Christian Assoc Of S C V, Owner). Council District 10. CEQA: Exempt.
- c. **TR06-170. Tree Removal Permit** to remove one Coast Live Oak tree approximately 168 inches in circumference on a 0.90 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at/on the 1167 Nikulina Court (1167 NIKULINA CT) (Balaa Marwan A And Huda A Trustee, Owner). Council District 10. CEQA: Exempt.
- d. **TR06-141. Tree Removal Permit** to remove one Stone Pine tree 77 inches in circumference on a 0.16 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1612 Fairlawn Avenue (Kathryn Hardy, Owner). Council District 9. CEQA: Exempt.
- e. The projects being considered are located on the southeast corner of West Alma Avenue and Almaden Expressway (220 W ALMA AV), in the CP Pedestrian Commercial Zoning District (GIAMMONA ANTHONY J AND LOUISE A TRUSTEE, Owner). Council District 7. SNI: Washington. CEQA: Exempt.

1. **H06-036. Site Development Permit** to demolish an existing bar and single-family detached house and to construct a new 9,900 square foot retail building on a 0.58 gross acre site.
 2. **T06-089. Conventional Tentative Map** to consolidate five parcels into one lot for retail commercial uses on a 0.58 gross acre site.
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- f. **TR06-171. Tree Removal Permit** to remove one Eucalyptus tree 70 inches in circumference on a 0.14 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 3088 San Luis Rey Avenue (Mark A Gilmore and Cynthia S Fierro-Gilmore, Owners). Council District 9. CEQA: Exempt.
 - g. **H06-079. Site Development Permit** to add (2) spaces and associated site improvements to an existing mobile home park on a 25.11 gross acre site in the R-MH Mobilehome Park Zoning District, located on the west side of Highway 101, between Azucar Avenue and Blossom Hill Road (5450 MONTEREY RD) (Casa Alondra Mobile Home Park, LLC, Owner/ Developer). Council District 2. SNI: Edenvale/Great Oaks. CEQA: Exempt.
 - h. **PDA03-038-01. Planned Development Permit Amendment** to amend a previously approved Planned Development Permit file no. PD03-038 to allow construction on Saturdays on a 20.86 gross acre site in the A(PD) Planned Development Zoning District, located on the westerly side of Meridian Avenue, on both sides of Foxworthy Avenue (Hacienda Gardens LLC, Owner). Council District 9. SNI: None. CEQA: Negative Declaration.
 - i. **TR06-174. Tree Removal Permit** requesting to remove seven Monterey Pine trees, one Canary Island Pine tree, varying in size between 53 inches to 91 inches in circumference on a 0.19 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at/on the 2029 Park Royal Drive (Edwards William S And Michalene, Owner). Council District 6. CEQA: Exempt.
 - j. **TR06-168. Tree Removal Permit** requesting to remove three Pine trees, varying in size between 70"-92" in circumference. One Pine tree was previously removed without benefit of permit, on a 0.13 gross acre site in the R-1-8(PD) Planned Development Zoning District, located at 2404 Borello Drive (Villavicencio Cheryl A, Owner). Council District 6. CEQA: Exempt.
 - k. **TR06-137. Tree removal permit** for the removal of three healthy trees required by PG&E on a church site: (1) ash 109" in circumference, (2) pine 64" in circumference; and (3) pine 78" in circumference in the CP Pedestrian Commercial Zoning District, located on the west side of Saratoga Avenue, 500 feet southerly of Campbell Avenue (1735 SARATOGA AV) (First Baptist Church Of Quito Park, Owner). Council District 1. SNI: None. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **TR06-178. Tree Removal Permit** Application for the removal of one acacia tree, 80 inches in circumference, in the R-1-8(PD) Planned Development Zoning District, located at 7036 Via Serena (Alexander and Marina Furman, owners). Council District 2. CEQA: Exempt. **Deferred from 11/8/06.**
- b. **PD06-044. Planned Development Permit** to allow the subdivision of existing industrial buildings into up to 51 industrial condominium units on a 7.32 gross acre site in the LI (PD) Planned Development Zoning District, located on the northwest corner of O'Toole Avenue and E. Brokaw Road (689 E BROKAW RD) (Dell Associates II, Owner). Council District 4. SNI: None. CEQA: Exempt.
- c. **HA05-037-01. Site Development Permit Amendment** to allow modifications to a previously approved Site Development Permit (File No. H05-037) to (1) add 10 residential units to allow a total of 213 single-family attached residential units; (2) increase the square footage of retail space from 11,200 to 11,226 square feet; and (3) reduce the number of parking spaces from 274 to 242 parking spaces on a 1.02 gross acre site in the DC Downtown Primary Commercial Zoning District, located at the northeast corner of Market & San Salvador Streets (360 S. Market Street) (City of San Jose Redevelopment Agency, Owner; Mesa Sofa Partners, Llc Mr Richard Shields, Developer). Council District 3. SNI: None. CEQA: San Jose Downtown Strategy 2000 FEIR, Resolution No. 72767.
- d. The projects being considered are located on south side of Fleming Avenue, approximately 1,032 feet southeast of Alum Rock Avenue (139 FLEMING AV), in the A(PD) Planned Development Zoning District (ANTIOCH KOREAN BAPTIST CHURCH OF SAN JOSE, Owner). Council District 5. SNI: None. CEQA: Re-use of Negative Declaration.
 - 1. **PD05-067. Planned Development Permit** to construct 14 single-family detached residences and dedicate a 0.5 acre park to the City on a 2.66 gross acre site.
 - 2. **PT05-087. Vesting Planned Development Tentative Map Permit** to reconfigure 2 parcels into 16 lots for single-family detached residential uses and public park on a 2.66 gross acre site.
- e. The projects being considered are located on the east side of Boynton Avenue approximately 150 feet northerly of Underwood Drive (912 BOYNTON AV), in the A(PD) Planned Development Zoning District (KU SOPHIA ET AL HAMMOND H. KU, Owners). Council District 1. SNI: Blackford. CEQA: Exempt.
 - 1. **PD05-031. Planned Development Permit** to allow the construction of four single-family attached residential units on a 0.21 acre site.
 - 2. **PT05-006. Planned Development Tentative Map Permit** to subdivide 1 parcel into 5 lots for residential uses on a 0.21 gross acre site.

This concludes the Planning Director's Hearing for November 15, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE